



Massachusetts Department of Environmental Protection

Bureau of Waste Site Cleanup

Tier I Response Action Permits

BWSC 01	Tier IA Permit
BWSC 02	Tier IB Permit
BWSC 03	Tier IC Permit
BWSC 10	Tier I Major Permit Modification
BWSC 20	Tier I Permit Extension
BWSC 30	Tier I Permit Transfer

Instructions and Supporting Materials

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Introduction

Obtain BWSC *Permit Applications* online and submit the application and attachments to DEP using an Internet browser. More information regarding online submittals may be found at <http://mass.gov/dep/service/compliance/edepbwsc.htm>

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are also available for download from the DEP Web site at <http://mass.gov/dep> in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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1. What is the BWSC Tier I Permit program?

Under the MCP (310 CMR 40.0000), sites that have not been cleaned up within one year of notification to DEP must be scored using the MCP's Numerical Ranking System (NRS). The NRS ranks sites using specific criteria and a scoring system based on the existing and potential risks posed by the site to public health, natural resources and environmental receptors. Sites that score 350 or above, as well as sites that meet Tier I Inclusionary Criteria (e.g., are located within certain groundwater resource areas), are classified as Tier I disposal sites. These sites require a Tier I Permit to proceed with cleanup actions.

Tier I sites are categorized as Tier IA, Tier IB or Tier IC depending on the site's NRS score, other factors relating to the complexity of performing response actions, and the applicant's ability and willingness to go forward. Once a Tier I Permit has been obtained by a Responsible Party (RP), Potentially Responsible Party (PRP) or Other Person, the assessment and cleanup can proceed under the supervision of a Licensed Site Professional (LSP) employed by that party to oversee the work. DEP may at any time require an RP, PRP or Other Person to obtain DEP approval of specific response actions or submittals regardless of the classification of the site.

In general, disposal sites with an NRS score of less than 350 which do not meet the Tier I Inclusionary Criteria, are classified as Tier II and do not need a Tier I Permit. Work at Tier II sites also must be overseen by an LSP.

Response actions at any disposal site may require permits from other DEP programs.

2. Who must apply for a permit?

If a disposal site is classified as Tier I, the Responsible Party (RP) for the disposal site must apply for a Tier I Permit. A Potentially Responsible Party (PRP) or Other Person who wants to conduct response actions at a Tier I disposal site must also obtain a permit before proceeding with response actions.

3. When must I apply for a Tier I Permit?

For sites classified as Tier I, a Tier I Permit Application must be submitted to DEP within one year from the date DEP was initially notified that a release of oil or hazardous material occurred at a site, or within one year of the date DEP sends a Notice of Responsibility (NOR) to the RP or PRP for a release, whichever is earlier. DEP may also set interim deadlines for submittal of a Tier I Permit Application.

4. What information must be submitted with all Tier I Permit Applications?

As described in 310 CMR 40.0703, all Tier I Permit Applications must include:

- a. a DEP Transmittal Form for Permit Application and Payment;
- b. a completed DEP Permit Application Form for the appropriate permit category, including a Statement of Compliance History;
- c. signed certifications as required by 310 CMR 40.0009 and 310 CMR 40.0703(9)(a) and (10);
- d. the applicable permit application fee;
- e. the tearsheet(s) from the newspaper(s) containing the legal notice required by 310 CMR 40.0703(8)(a)1., with the date of the publication and name of the newspaper;
- f. a copy of the cover letters and notices required by 310 CMR 40.1403 to the Chief Municipal Officer(s) and Board(s) of Health;
- g. a Primary Representative Certification (for multiple applicants only); and
- h. a list of all Status Reports, Phase Reports, or Completion Statements as required by 310 CMR 40.0703(1)(j).



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Send the application fee to DEP in the manner described in Question 7. Send the original copy of the Transmittal Form and all other application materials to the appropriate DEP Regional Office. These offices are listed in the instruction package under Addresses and Phone Numbers.

5. What additional information is required when applying for an initial Tier I Permit?

In addition to the general requirements in 310 CMR 40.0703 described above, an initial Tier I Permit Application must include a complete Tier Classification Submittal, as required by 310 CMR 40.0500, and an LSP Opinion.

Additional information required for Applications for Tier I Permit Transfers, Extensions and Major Modifications can be found in the MCP at 310 CMR 40.0705, 40.0706 and 40.0707, respectively.

6. What is considered to be an incomplete application?

The application is considered incomplete if all of the required information and the applicable fee are not submitted to DEP. If DEP notifies you that the application is incomplete during the permit review period, you have an opportunity to complete it. If you subsequently do not provide the required information, DEP will consider the permit application to be withdrawn.

7. What is the application fee and how do I pay?

Permit application fees are:

Permit Category	Standard Fee	Homeowner Fee*
BWSC 01 Initial Tier IA Permit	\$3,550	\$500
BWSC 02 Initial Tier IB Permit	\$3,550	\$500
BWSC 03 Initial Tier IC Permit	\$3,550	\$500
BWSC 10 Tier I Major Permit Modification	\$1,200	\$250
BWSC 20 Tier I Permit Extension	\$1,200	\$250
BWSC 30 Tier I Permit Transfer	\$1,200	\$250

* A completed Homeowner Certification Transmittal Form (BWSC120) must be submitted to DEP in order to qualify for the reduced fee. Obtain Form BWSC120 online and submit to DEP through your Internet browser. Form BWSC120 is also available on DEP's web site at <http://mass.gov/dep/cleanup/approvals/trforms.htm>.

If you are submitting a Major Permit Modification, Permit Extension and/or Permit Transfer for a single disposal site concurrently, you are only required to pay one application fee.

Payment should be made in the form of a check or money order made payable to *Commonwealth of Massachusetts*. **Do not send cash**. One copy of the Transmittal Form for Permit Application must accompany the check and be forwarded to the following address:

**Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211-4062**

Do not send any application materials to this address. Send the original copy of the Transmittal Form and other application materials to the appropriate DEP Regional Office.



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8. What other fees will be required for a 21E response action?

Prior to Tier Classification, a one-time Annual Compliance Assurance Fee (ACF) of \$800 is required to be paid for each Release Abatement Measure (RAM) Plan submitted and a one-time ACF of \$1,200 may be required to be paid for each Response Action Outcome (RAO) Statement submitted.

If a site does not achieve a Response Action Outcome (RAO) within one year of notification and is classified as Tier I or Tier II, or if it is deemed a Tier ID site (formerly default Tier IB), an Annual Compliance Assurance Fee (ACF) will be assessed for the duration of the response actions at the disposal site. Annual Compliance Assurance Fees are billed to the permit holder or primary representative if there are multiple permittees. The fees vary according to a site's classification:

Category	Fee for Billable Years Ending Before June 27, 2003	Fee for Billable Years Ending On or After June 27, 2003	Homeowner Fee*
	Actual Cost		
Tier IA Site		\$5,000	\$1,000
Tier IB Site	\$2,600	\$4,000	\$1,000
Tier IC Site	\$1,950	\$3,000	\$1,000
Tier ID Site	\$2,600	\$4,000	\$2,000
Tier II Site	\$1,300	\$2,000	\$1,000

* A completed Homeowner Certification Transmittal Form (BWSC120) must be submitted to DEP in order to qualify for the reduced fee. Obtain Form BWSC120 online and submit to DEP through your Internet browser. Form BWSC120 is also available on DEP's web site at <http://mass.gov/dep/cleanup/approvals/trforms.htm>.

Once a Tier I or Tier II disposal site reaches certain points in the cleanup process, a lower fee will be assessed:

Category	Fee for Billable Years Ending Before June 27, 2003	New Fee
Phase V Operation, Maintenance and/or Monitoring (including Remedy Operation Status)	\$500	\$800
Post-RAO Class C Disposal Site	\$500	\$800

Statements for Annual Compliance Assurance Fees for all Tier I and Tier II disposal sites will be sent to the RP, PRP and/or Other Person conducting response actions for each billable year, up to and including the year in which a Class A or B RAO Statement is filed with DEP. However, if a Tier Classification Submittal (and Tier I Permit Application, if applicable) is submitted to DEP within the first 12 months from notification, the first year's Annual Compliance Assurance Fee will not be assessed.

9. How many permits will DEP issue for a disposal site?

Generally, if a disposal site consists of one property, DEP will issue only one Tier I Permit. If a disposal site consists of more than one property, RPs, PRPs, or Other Persons may choose to individually apply for separate permits for each of their respective properties, or apply for one permit for the entire disposal site (see Question 10 below). If multiple discrete disposal sites are located on a single parcel of land, RPs, PRPs or Other Persons may choose to individually apply for separate permits for each discrete disposal site, or apply for one permit to address the disposal sites on the property as a whole.



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10. May more than one RP, PRP, or Other Person apply for a single permit?

Yes. Whether a disposal site consists of one property or more than one property, RPs, PRPs or Other Persons may join together as a group and apply for one multiple-party permit covering cleanup activities at the disposal site.

Whenever multiple parties apply jointly for one permit, they must designate a Primary Representative.

11. What is a Primary Representative?

The Primary Representative of a multiple-party permit is the person who has been designated and authorized by the permit applicants to act on their behalf to receive oral and written correspondence from DEP regarding the Tier I Permit Application, subsequent response actions under the permit, and fee statements.

12. What Response Actions can be conducted without a Tier I Permit?

Response actions at the following types of sites do not require a Tier I Permit:

- a. Tier II disposal sites;
- b. disposal sites that qualify as "adequately regulated" pursuant to 310 CMR 40.0110; and
- c. disposal sites where DEP is conducting response actions.

In addition, Preliminary Response Actions do not require a Tier I Permit (although specific DEP approval may be needed). These are:

- a. Initial Site Investigation Activities;
- b. Immediate Response Actions (IRAs);
- c. Release Abatement Measures (RAMs); and
- d. Utility Related Abatement Measures (URAMs).

13. What Comprehensive Response Actions may be conducted while the Tier I Permit Application is being processed?

The applicant may initiate or continue Phase II and/or Phase III Comprehensive Response Actions pursuant to 310 CMR 40.0830 and 40.0850, respectively, at a disposal site during the period after a Tier I Permit Application has been submitted and prior to its approval.

14. What are the timelines for Tier I Permit review?

The timeline for DEP to review applications for initial Tier I Permits, Permit Transfers, Permit Extensions, and Major Permit Modifications is 45 days. DEP may extend the review period by 45 days by issuing a Notice of Extended Review to the applicant or the review schedule may be extended by a written agreement between DEP and the applicant.

15. When does a Tier I Permit become effective and for how long are such permits in effect?

A Tier I Permit is effective:

- a. 45 days from the date the complete Tier I Permit application is received by DEP and presumptively approved;
- b. on the date DEP issues its written approval of the Tier I Permit with conditions;
- c. 45 days from the date DEP issues a Notice of Extended Review; or
- d. on the date DEP issues its written approval of the Permit after an agreed upon extended review period.



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Generally, initial Tier I Permits are effective for five years and Permit Extensions for two years. Permit Modifications and Transfers are effective for the duration of the original permit being modified or transferred.

16. What types of decisions can DEP make on a Tier I Permit Application?

DEP can make several types of permit decisions following its review of a Permit Application. DEP may:

- a. presumptively approve the permit;
- b. deny the permit; or
- c. approve the permit with conditions.

DEP also may determine that the disposal site does not require a permit, because it is more appropriately classified as a Tier II disposal site.

17. What are "Permit Conditions"?

The MCP (310 CMR 40.0740) establishes standard permit conditions that apply to all Tier I Permits. In addition, DEP may establish other site-specific conditions as necessary to ensure the appropriate level of DEP oversight of response actions.

18. Can I request an Adjudicatory Hearing if I disagree with a permit decision?

Any person who disagrees with a permit decision issued by DEP may request an adjudicatory hearing if the decision:

- a. denies a permit without the applicant's consent;
- b. issues a permit for a higher Tier Classification than proposed by the applicant's LSP without the applicant's consent; or
- c. issues a permit imposing site-specific conditions with which the applicant has not agreed.

19. When must I submit a Tier I Permit Modification Application?

Major Permit Modification Applications are required to:

- a. upgrade a Tier IC disposal site to a Tier IB or IA; or a Tier IB disposal site to a Tier IA;
- b. downgrade a Tier IA disposal site to Tier IB or IC; or a Tier IB disposal site to a Tier IC;
- c. reclassify a Tier I disposal site as a Tier II; or
- d. request the modification of terms/conditions of a Tier I Permit other than those changes requiring a "minor permit modification".

Minor Permit Modification Submittals are required to:

- a. correct typographical errors in an existing permit;
- b. change the Permittee's name or address;
- c. change the LSP of Record;
- d. change the Primary Representative;
- e. address omissions which do not materially affect the nature or complexity of the permitted response actions which need to be conducted at the disposal site; or
- f. add one or more RPs, PRPs or Other Persons as permittees.

Note: Minor Permit Modifications must be submitted to DEP in writing using the Tier I Minor Permit Modification Transmittal Form (BWSC109) and include, if required, an LSP Opinion describing the reasons for the requested modifications and/or the certification required by 310 CMR 40.0009.



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20. Can my Tier I Permit be suspended or revoked?

DEP may suspend or revoke a Tier I Permit for several reasons, including: a violation of any permit term or condition, failure to pay Annual Compliance Assurance Fees, submittal of false or misleading information, and a violation of 310 CMR 40.0000 or other applicable law(s) or regulation(s).

21. Are Tier I Permits transferrable?

Yes. A Tier I Permit may be transferred once DEP reviews a completed Permit Transfer Application and approves the Permit Transfer.

22. When will the Tier I Permit requirements be considered fulfilled?

The MCP requires that a Response Action Outcome Statement must be submitted within five years of the effective date of the permit, unless other deadlines are established in the permit. If needed, a Permit Extension can be applied for to extend the permit for two years.

23. How do I complete DEP's Transmittal Form for a Tier I Permit Application?

Please follow these instructions when filling out the *Transmittal Form for Permit Application and Payment*:

Section A Permit Information

The Permit Code numbers listed below should be used when applying for Tier I Permits from DEP's Bureau of Waste Site Cleanup.

Permit Code	Name of Permit Category
BWSC 01	Tier IA Permit
BWSC 02	Tier IB Permit
BWSC 03	Tier IC Permit
BWSC 10	Tier I Major Permit Modification
BWSC 20	Tier I Permit Extension
BWSC 30	Tier I Permit Transfer

Note: At "Type of Project or Activity", write "Permit to Proceed with Response Actions".

Section B Applicant Information

Provide requisite information for the RP, PRP, or Other Person. For multiple applicants, use the Primary Representative's Name, Address and Telephone Number.

Section C Facility, Site or Individual Requiring Approval

For "Name of Facility, Site or Individual," use the disposal site name, if known; otherwise, use the company or organization's name. For disposal sites listed in DEP's 1993 *Transition List of Confirmed Disposal Sites and Locations To Be Investigated* (or addenda), use the name on the List. Provide the requisite information for the disposal site. Include the disposal site's Release Tracking Number in the space provided.

Section D Application Prepared By

The Licensed Site Professional (LSP) who is preparing the Permit Application places his or her name in this section.



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Section F Amount Due

The Tier I Permit Application fees are listed in Question 7 above. Two Special Provision Categories - Fee Exempt and Alternative Schedule Project Request - are not applicable for Tier I Permit Applications. Therefore, Massachusetts State Agencies, cities, towns, counties, districts, and municipal housing authorities **must pay a fee** for Tier I Permit Applications. For applicants that are Homeowners as defined in 310 CMR 4.02, the application fee may be reduced if the party has filed a Homeowner Certification Form (BWSC120) with DEP.

24. What are the statute and regulations that apply to these permits? Where can I get copies?

These statute and regulations include, but are not limited to:

- a. The Massachusetts Superfund Law, M.G.L. c. 21E (amended).
- b. The Massachusetts Contingency Plan, 310 CMR 40.0000.
- c. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

Copies are available online on our web site at <http://mass.gov/dep> or may be purchased at:

State Bookstore
State House, Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- ☐ A DEP *Transmittal Form for Permit Application and Payment* is properly completed.
- ☐ An *Initial Application for Tier I Permit* or *Application for Supplemental Tier I Permit Actions* is properly completed.

Certifications/Signatures/LSP Opinions

- ☐ The Certification of Submittals, Statement of Ability and Willingness and Certification of Remittance of Permit Application Fee are signed by **all** applicants and attached.
- ☐ If applicable, the certification of the Primary Representative is signed.
- ☐ If filing a Permit Transfer, the consent of both the transferor and transferee are signed.
- ☐ A signed LSP Opinion regarding the information contained in this application is included.
- ☐ If modifying the terms or conditions of a permit, a signed LSP Opinion as to why the permit terms or conditions are no longer necessary or appropriate is included.

Reports and Other Submittals

- ☐ For Initial Permits and Major Permit Modifications that reclassifies a site, a Tier Classification Submittal is attached.
- ☐ The Compliance History pursuant to 310 CMR 40.0703(9)(b) is completed by **all** applicants and attached.
- ☐ A list of all Status Reports, Phase Reports or Completions Statements for any response actions that are in progress or have been completed at the disposal site is attached.
- ☐ For response actions that are in progress, a description of the current status and projected schedule for completion of such response actions is included.
- ☐ If filing a Permit Transfer, a statement as to why the transfer is sought is attached.
- ☐ If filing a Permit Extension, a statement as to why the extension is sought is attached.
- ☐ The tearsheet(s) from the newspapers(s) containing the legal notice required by 310 CMR 40.0703(8)(a)1., with the date of the publication and name of the newspaper is attached.
- ☐ A copy of the cover letter and notices submitted to the Chief Municipal Officer(s) and Board(s) of Health in the community(ies) in which the disposal site is located or in any other community(ies) which is, or is likely to be affected by the disposal site required by 310 CMR 40.0703(8)(a)2. are included.
- ☐ A photocopy of the fee payment (to be included in the permit application) is attached.



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Application Completeness Checklist

To submit the application package:

- ☐ Send one copy of the application along with the original copy of the DEP *Transmittal Form for Permit Application and Payment* to:

Department of Environmental Protection
*** Regional Office**
Bureau of Waste Site Cleanup

*See "Addresses and Phone Numbers" page included in this package.

- ☐ Send the appropriate application fee (see table below) in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the DEP *Transmittal Form for Permit Application and Payment* to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211-4062

Permit Category	Standard Fee	Homeowner Fee*
BWSC 01 Initial Tier IA Permit	\$3,550	\$500
BWSC 02 Initial Tier IB Permit	\$3,550	\$500
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* A completed Homeowner Certification Transmittal Form (BWSC120) must be submitted to DEP in order to qualify for the reduced fee. Obtain Form BWSC120 online and submit to DEP through your Internet browser. Form BWSC120 is also available on DEP's web site at <http://mass.gov/dep/cleanup/approvals/trforms.htm>.



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Addresses and Phone Numbers

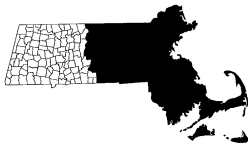
DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



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Amherst
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Lenox
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Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
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627 Main Street
Worcester, MA 01608
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DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
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Sharon
Somerset
Stoughton
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Truro
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West Tisbury
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Fax: (617) 556-1049
TDD: (617) 574-6868



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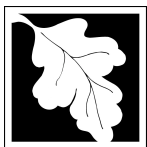
Chelmsford
Chelsea
Cohasset
Concord
Danvers
Dedham
Dover
Dracut
Essex
Everett
Framingham
Georgetown
Gloucester
Groveland
Hamilton
Haverhill

Hingham
Holbrook
Hull
Ipswich
Lawrence
Lexington
Lincoln
Lowell
Lynn
Lynnfield
Malden
Manchester-By-The-Sea
Marblehead
Medfield
Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Newbury
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup
BWSC 01 – Tier IA
BWSC 02 – Tier IB
BWSC 03 – Tier IC
Initial Application for Tier I Permit

Transmittal Number _____

Release Tracking Number _____

Important:

When filling out forms on the computer, use only the tab key to move your cursor – do not use the return key.



A. Disposal Site Information

- ☐ 1. Check here if there is more than one applicant. (A Primary Representative must be listed in Section B and each applicant must fill out Sections C, D and E.)
2. Which permit category are you applying for?
- ☐ a. Tier IA (Permit Category: BWSC 01) ☐ d. Check here if applicant is a Homeowner pursuant to 310 CMR 4.02. A Homeowner Certification (BWSC120) must be submitted in order to qualify for the homeowner application fee.
- ☐ b. Tier IB (Permit Category: BWSC 02)
- ☐ c. Tier IC (Permit Category: BWSC 03)

3. a. _____
Disposal Site Name
- b. _____
Street
- c. _____ d. _____ e. _____
City/Town State Zip Code

Note:

Tier IA =
NRS ≥ 550 ;

Tier IB =
 $450 \leq \text{NRS} < 550$;

Tier IC =
 $350 \leq \text{NRS} < 450$

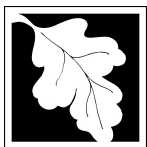
4. List other release tracking number(s) that is(are) the subject of this permit application.

Release Tracking Number (RTN)

- a. _____ b. _____
- c. _____ d. _____
- e. _____ f. _____

5. Basis for Tier Classification:

- a. Numerical Ranking System (NRS) Score: _____
- ☐ b. Check here if basis includes Tier I inclusionary criteria. (Check all that apply.)
- ☐ i. Evidence of groundwater contamination with oil and/or hazardous material at concentrations equal to or exceeding applicable RCGW-1 reportable concentrations and such groundwater is located within an Interim Wellhead Protection Area or Zone II.
- ☐ ii. Disposal site at which an Imminent Hazard is present at the time of Tier Classification.



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B. Primary Representative Information

Note:

1. If there is **only one** applicant, you do not need to complete this section.

2. If there is **more than one** applicant, then the Primary Representative should complete this page.

3. The **Primary Representative** for multiple applicants will receive the annual compliance assurance fee statement for the disposal site.

1. Primary Representative:

a. Is the Primary Representative also an applicant? ☐ i. Yes ☐ ii. No

b. _____
Name of Organization

c. _____ d. _____
Name Title

e. _____
Street

f. _____ g. _____ h. _____
City/Town State Zip Code

i. _____ j. _____
Telephone E-mail (optional)

k. _____ l. _____
Contact Name (if different) Contact Telephone

2. Primary Representative Certification:

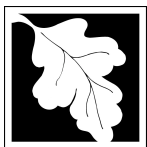
I attest under the pains and penalties of perjury that I am fully authorized to act on behalf of all persons submitting this permit application for the following purposes: (i) to receive oral and written correspondence from DEP with respect to this application; (ii) to receive oral and written correspondence from DEP with respect to the performance of response actions conducted pursuant to the Tier I permit; and (iii) to receive any statement of fee required by 310 CMR 4.03(3) associated with the Tier I permit. I am aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate or incomplete information.

a. _____
Name (Print)

b. _____
Position or Title

c. _____
Signature

d. _____
Date



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C. Applicant Information

Note:

1. All applicants must complete this section. Where there is more than one **Applicant**, make copies of this page, have each applicant provide this information, and then attach all copies to this Permit Application.

2. The applicant, or the Primary Representative for more than one applicant, will receive the annual compliance assurance fee statement for the disposal site.

1. Applicant:

- a. _____
Name of Organization
- b. _____ c. _____
Applicant Name Title
- d. _____
Street
- e. _____ f. _____ g. _____
City/Town State Zip Code
- h. _____ i. _____
Telephone E-mail (optional)
- j. _____ k. _____
Contact Name (if different) Contact Telephone

2. Type of Applicant (check **one**):

- ☐ a. Individual
- ☐ b. Sole proprietorship
- ☐ c. Partnership
- ☐ d. Corporation
- ☐ e. Realty trust
- ☐ f. State authority
- ☐ g. Municipality
- ☐ h. State agency
- ☐ i. Federal agency
- ☐ j. Other, please specify: _____

3. Relationship of applicant to disposal site (check all that apply):

- ☐ a. Current owner (as defined in Section 5(a)(1) of M.G.L. c 21E)
- ☐ b. Current operator (as defined in Section 5(a)(1) of M.G.L. c 21E)
- ☐ c. Past owner (as defined in Section 5(a)(2) of M.G.L. c 21E)
- ☐ d. Past operator (as defined in Section 5(a)(2) of M.G.L. c 21E)
- ☐ e. Generator (as defined in Section 5(a)(3) of M.G.L. c 21E)
- ☐ f. Transporter (as defined in Section 5(a)(4) of M.G.L. c 21E)
- ☐ g. Other legally responsible party (as defined in Section 5(a)(5) of M.G.L. c 21E)
- ☐ h. Other person (as defined in 310 CMR 40.0006(10))

- ☐ 4. Check here to certify that additional copies of Sections C, D and E are attached to this application.



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D. Applicant's Compliance History

Note:
Each applicant must complete this section. For disposal sites with more than one **Applicant**, make copies of this section, have each applicant complete this information, and then attach all copies to this Permit Application.

- ☐ 1. Check here to certify that a statement further describing the applicant's compliance history is attached.

This statement must describe the applicant's history of compliance with DEP's requirements, including, but not limited to, M.G.L. c. 21E, 310 CMR 40.0000, and other laws for the protection of health, safety, public welfare and the environment administered or enforced by federal, state and local government agencies, that are material to the disposal site. Such a statement should identify information such as: action(s) material to the disposal site taken by DEP to enforce its requirements including, but not limited to Notice of Noncompliance (NON), Notice of Intent to Assess Civil Administrative Penalty (PAN), administrative enforcement order, Notice of Responsibility (NOR), Notice of Intent to Take Response Action (NORA); Administrative Consent Order; Judicial Consent Judgment; similar administrative actions taken by other states, federal, or local agencies; and/or civil or criminal actions material to the disposal site brought on behalf of DEP or other federal, state, or local agencies and any additional information relevant to the applicant's history of compliance. For each action identified, give the name of the issuing authority and identification number, if available, and a description of the noncompliance cited, the current status of the matter, and final disposition, if any.

2. List all other DEP permits or licenses held by the applicant that are material to this disposal site:

Program	Permit Code	Permit Category	Facility ID
a. Air Quality	_____	_____	_____
b. Hazardous Waste (M.G.L. c. 21C)	_____	_____	_____
c. Solid Waste	_____	_____	_____
d. Industrial Wastewater Management	_____	_____	_____
e. Water Supply	_____	_____	_____
f. Water Pollution Control: Surface Water	_____	_____	_____
g. Water Pollution Control: Groundwater	_____	_____	_____
h. Water Pollution Control: Sewer Connection	_____	_____	_____
i. Wetlands & Waterways	_____	_____	_____

3. List all other permits, licenses, certifications, registrations, variances, or other approvals issued by other federal, state, or local authorities and held by applicant that are material to this disposal site:

Issuing Authority	Identification Number	Date Issued
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____



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E. Applicant Certifications

Note:

Each applicant must complete this section. For disposal sites with more than one **Applicant**, make copies of this page, have each applicant complete this information, and then attach all copies to this Permit Application.

1. Certification of Submittal

I attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this submittal, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the person or entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. Statement of Ability and Willingness

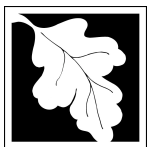
I attest under the pains and penalties of perjury that (i) I/the person(s) or entity(ies) on whose behalf this submittal is made has/have personally examined and am/is familiar with the requirements of M.G.L. c. 21E and 310 CMR 40.0000; (ii) based upon my inquiry of the/those Licensed Site Professional(s) employed or engaged to render Professional Services for the disposal site which is the subject of this permit application and of the person(s) or entity(ies) on whose behalf this submittal is made, and my/that person's(s') or entity's(ies') understanding as to the estimated costs of necessary response actions, that/those person(s) or entity(ies) has/have the technical, financial and legal ability to proceed with response actions for such site in accordance with M.G.L. c. 21E, 310 CMR 40.0000 and other applicable requirements; and (iii) that I am fully authorized to make this attestation on behalf of the person(s) or entity(ies) legally responsible for this submittal. I/the person(s) or entity(ies) on whose behalf this submittal is made is aware of the requirements in 310 CMR 40.0172 for notifying the Department in the event that I/the person(s) or entity(ies) on whose behalf this submittal is made and/is(are) unable to proceed with the necessary response actions.

3. Certification of Remittance of Permit Application Fee

I attest under the pains and penalties of perjury that, on or before the date of submittal of this permit application to the Department, I remitted, or caused to be remitted, the applicable permit fee payable in accordance with 310 CMR 4.00.

4. Applicant Acceptance

- a. _____
Name (Print)
- b. _____
Position or Title
- c. _____
Signature
- d. _____
Date



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F. Required Technical Submittals with Permit Application

- ☐ 1. Check here to certify that a Tier I Classification Submittal is attached to this application.
2. Please indicate which of the following response actions are in progress or have been completed at this disposal site at the time of this permit application:

Response Actions	Completed	In Progress
-------------------------	------------------	--------------------

Preliminary Response Actions:

- | | | |
|---|--------------------------|--------------------------|
| a. Limited Removal Action (LRA) | <input type="checkbox"/> | |
| b. Immediate Response Action (IRA) | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Release Abatement Measure (RAM) | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Utility Related Abatement Measure (URAM) | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Phase I Initial Site Investigation | <input type="checkbox"/> | <input type="checkbox"/> |
| f. _____
Other (specify) | <input type="checkbox"/> | <input type="checkbox"/> |

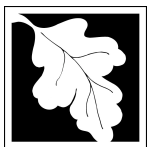
Comprehensive Response Actions:

- | | | |
|--|--------------------------|--------------------------|
| g. Phase II Comprehensive Site Assessment | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Phase III Identification, Evaluation and Selection of Comprehensive Remedial Action Alternatives | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Phase IV Implementation of the Selected Remedial Action Alternative (Remedy Implementation Plan only) | <input type="checkbox"/> | <input type="checkbox"/> |

3. Please indicate which of the following Status Reports, Phase Reports, or Completion Statements have been prepared for response actions that are in progress or have been completed at the disposal site at the time of this permit application.

Document	Previously Submitted	Submitted with this Application	Projected Date for Completion
a. Bill(s) of Lading	<input type="checkbox"/>	<input type="checkbox"/>	_____
b. Immediate Response Action (IRA) Plan(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
c. IRA Status Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
d. IRA Completion Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
e. Release Abatement Measure (RAM) Plan(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____

Note:
For response actions in progress, attach a statement of description of the current status and projected schedule for completion of such response actions.



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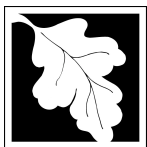
Release Tracking Number _____

F. Required Technical Submittals with Permit Application (cont.)

Document	Previously Submitted	Submitted with this Application	Projected Date for Completion
f. RAM Status Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
g. RAM Completion Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
h. Utility-Related Abatement Measures (URAM)	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. URAM Status Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
j. URAM Completion Report(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
k. Phase I Report and Completion Statement	<input type="checkbox"/>	<input type="checkbox"/>	_____
l. Phase II Scope of Work	<input type="checkbox"/>	<input type="checkbox"/>	_____
m. Phase II Report and Completion Statement	<input type="checkbox"/>	<input type="checkbox"/>	_____
n. Phase III Remedial Action Plan and Completion Statement	<input type="checkbox"/>	<input type="checkbox"/>	_____
o. Phase IV Remedy Implementation Plan (RIP)	<input type="checkbox"/>	<input type="checkbox"/>	_____
p. _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other (specify)			

4. Specify the pages of either the Phase I Report or Phase II Report (if completed) for purposes of supporting the following information:

	Phase I Report	Phase II Report	Page(s)
a. Disposal site location information	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. Institutions within 500 feet of the disposal site	<input type="checkbox"/>	<input type="checkbox"/>	_____
ii. Listing of natural resource areas	<input type="checkbox"/>	<input type="checkbox"/>	_____
b. Disposal Site Locus Map	<input type="checkbox"/>	<input type="checkbox"/>	_____
c. Disposal site history	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. Release history and abatement measures	<input type="checkbox"/>	<input type="checkbox"/>	_____
ii. OHM use and storage history	<input type="checkbox"/>	<input type="checkbox"/>	_____
iii. Environmental permits and compliance history	<input type="checkbox"/>	<input type="checkbox"/>	_____



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F. Required Technical Submittals with Permit Application (cont.)

	Phase I Report	Phase II Report	Page(s)
d. Disposal site hydrogeological characteristics	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. Groundwater depth and flow direction	<input type="checkbox"/>	<input type="checkbox"/>	_____
ii. Soil and bedrock description	<input type="checkbox"/>	<input type="checkbox"/>	_____
iii. Disposal site topography	<input type="checkbox"/>	<input type="checkbox"/>	_____
e. Nature and extent of contamination	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. Thickness of non-aqueous phase liquid, if encountered	<input type="checkbox"/>	<input type="checkbox"/>	_____
ii. Approximate horizontal and vertical extent of contamination	<input type="checkbox"/>	<input type="checkbox"/>	_____
f. Migration pathways and exposure potential	<input type="checkbox"/>	<input type="checkbox"/>	_____
i. Contaminant migration potential	<input type="checkbox"/>	<input type="checkbox"/>	_____
ii. Potential human exposure	<input type="checkbox"/>	<input type="checkbox"/>	_____
iii. Potential environmental receptors	<input type="checkbox"/>	<input type="checkbox"/>	_____
g. Evaluation for Immediate Response Action(s)	<input type="checkbox"/>	<input type="checkbox"/>	_____
h. _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other (specify)			
i. Conclusions	<input type="checkbox"/>	<input type="checkbox"/>	_____

G. Licensed Site Professional Opinion

I attest under the pains and penalties of perjury that I have personally examined and am familiar with this submittal, including any and all documents accompanying this submittal. In my professional opinion and judgment based upon application of (i) the standard of care in 309 CMR 4.02(1), (ii) the applicable provisions of 309 CMR 4.02(2) and (3), and 309 CMR 4.03(2), and (iii) the provisions of 309 CMR 4.03(3), to the best of my knowledge, information and belief, this application was developed in accordance with the applicable provisions of M.G.L. c. 21E and 310 CMR 40.0000. I am aware that significant penalties may result, including, but not limited to, possible fines and imprisonment, if I submit information which I know to be false, inaccurate or materially incomplete.

1. _____
License Number
2. _____
LSP Name (Print)
3. _____
Date
4. _____
Telephone
5. _____
LSP Signature
6. LSP Seal:

